

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 8, 1947

10:20 A.M.

Council Chamber, City Hall

The meeting was called to order, with Mayor Miller presiding.

## Roll call

Present : Councilmen Bartholomew, Glass, Johnson, Mayor Miller - 4  
Absent : Councilman Thornberry - 1

Present also: Guiton Morgan, City Manager; J. E. Motheral, Director of Public Works; Trueman E. O'Quinn, City Attorney; and R. D. Thorp, Chief of Police.

The reading of the Minutes was dispensed with.

Mr. Paul Bolton, Member of the School Board, came before the Council and submitted a request from the School Board for a joint meeting of the City Council and the School Board to discuss the overall financing of the Austin Public Schools. The meeting was set accordingly for Thursday, May 15, at 8:00 P. M. in the Council Chamber.

A committee from the Engineering Committee of the Chamber of Commerce, composed of E. L. Sandahl, Chairman, and S. B. Price, came before the Council and submitted the following parking suggestions in writing:

1. East 1st - widen both sides of street four feet. From East Avenue to East 5th Street, recommend parallel parking only.
2. Brazos - widen Brazos from 7th Street, west side of street, to correspond with Brazos south of 7th - same for east side of street.
3. Lavaca - widen both sides of street from 6th to 11th to correspond with street south of 6th.
4. East and West 13th - widen one block from Congress Avenue, fifty feet on State property.
5. Colorado - widen both sides of street from 10th to 11th to correspond with street south of 10th.

6. Guadalupe - widen, starting at 8th to 19th, which will make street about 6 feet wider on each side of street to balance with street south of 8th.
7. Whitis - widen both sides of street from 24th to 26th, eight feet, recommend head-in parking.
8. 25th Street- widen street, both sides, 10 feet from Guadalupe to Whitis, recommend head-in parking.
9. Guadalupe Street - widen west side 6 to 8 feet from 19th to 24th
10. West 12th from Colorado Street to West Avenue, take out park area.
11. Contact proper city officials with reference to city employees being allowed to leave their regular work at 4:45 instead of 5:00 P.M. to alleviate traffic congestion.
12. Double present parking facilities in front of banks to 20 minutes instead of 30 minutes, which will create more space for banking purposes.

The Board of Directors of the Chamber of Commerce on May 6th adopted a motion to the effect that the Board of Directors recommend the proper City authorities the study of these several areas, with the view toward improving the flow of traffic by widening these streets and creating more parking facilities, and that this report of the Engineering Committee be transmitted to the proper city officials. "

The matter was taken under advisement by the City Council for study, and the City Manager was directed to have the Engineering Department make an estimate of the cost of the entire project, and a separate estimate of the cost of widening East 1st Street, as this street was deemed by the Committee to be the most urgent of all; and the Committee were told that they would be advised of the result.

S. B. Price also advised the Council that the Traffic Committee of the Chamber of Commerce had taken the matter of the City of Austin's being granted the use of the park between 4th, 5th, Guadalupe, and San Antonio Streets by the Legislature up with the Governor and as soon as they heard from him they would notify the Council.

A large group of citizens came before the Council and protested against the City's dump grounds located on property leased from Looney & Clark, being fifty acres out of the John Beckam and T. J. Chambers Surveys in Travis County. Among those protesting were Miss Roy, who claimed that a road had been cut through her property without her permission, for which she intended to sue somebody; and Emmett Shelton, who claimed that the water on his property was being contaminated and the smoke from the dump was preventing the use of his docks at times.

Robt. L. Basey was present and submitted an offer to lease the City certain property owned by him just off the Dallas Highway, about six miles from the City, for a dump.

The Council took the matter of the protest under advisement, and stated they would inspect the site offered by Mr. Basey.

The public hearing on the application of Chester Kitchens for a change in zoning, from "C" to "C-2" Commercial of property located on West 51st Street at the intersection of Burnet Road, scheduled for this day, was withdrawn at applicant's request; and the property owners present to protest the proposed change were advised that they would be notified if a re-hearing on the matter were called for.

The application of Mrs. Bessie Menem for a change in zoning, from "E" Heavy Industrial to "C-1" Commercial of property located at 2501 East 6th Street was received. Councilman Bartholomew moved that the application be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Thornberry

At the request of D. J. Pickle, Attorney for applicants, a public hearing on the application of Mr. and Mrs. Serapio Sanchez for a change in zoning, from "A" Residence to "C" Commercial, of property located at 2101 and 2103 Canterbury Street was called for Thursday, May 29, at 11:00 A. M., pending report of the Board of Adjustment on the matter.

Horace H. Shelton, Attorney, and his client, Ben H. Green, came before the Council on behalf of said client's application for an amendment to the ordinance prohibiting vending on the streets to allow the operation of a mobile grocery unit, declaring that his client was a veteran with limited capital and wanted to establish a business of his own; that the grocery truck would meet all regulations regarding sanitation and the handling of foodstuffs; that this type of business was being operated in many of the larger cities; that later his client intends to have a fixed place from which to operate, but in the meantime, would stock same from wholesale houses.

Sam Wood, President, and D. A. Shipwash, Secretary, respectively, of the Austin Independent Retail Grocers Association, appeared to protest the matter, and presented petitions from the Independent Retail Grocers Association, several individual grocers and chain stores opposing the permit. After considerable discussion, Councilman Johnson moved that the matter be taken under advisement for further consideration, and the City Attorney be directed to revise the ordinance passed January 26, 1933, prohibiting vending on the streets, for consideration by the City Council and a public hearing. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Thornberry

City Manager Morgan submitted the following tabulation of bids received on the Bouldin Creek cut-off:

"May 6, 1947

Memorandum to : Guiton Morgan, City Manager

Memorandum from: J.E. Motheral, Director Public Works

Bids were received and tabulated this morning for the construction of a rock spillway and a multiple-box culvert on Bouldin Creek Cut-off at Robert E. Lee Road. The bids were as follows:

Moore Construction Company -----	\$23,997.11
Joe Bland Construction Company -----	25,371.87
John Broad Construction Company-----	25,968.08
J. M. Odom Construction Company-----	26,520.55
Leslie Crockett Construction Company--	26,535.30
Richard Schmidt Construction Company--	30,914.04

The low bid is within our estimate of the cost of the job, and we recommend that the contract be awarded to the Moore Construction Company.

Attached hereto is a resolution for the appropriation of the funds for this construction.

(Sgd) J. E. Motheral. "

Councilman Bartholomew moved that the bid of the Moore Construction Company, in the amount of \$23,997.11, be accepted and the City Manager be authorized and directed to enter into contract accordingly with the said Moore Construction Company. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
 Noes : None  
 Absent: Councilman Thornberry

Councilman Bartholomew then offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$25,000.00 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of construction of a rock spillway and a multiple-box culvert on Bouldin Creek Cut-off at Robert E. Lee Road.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
 Noes : None  
 Absent: Councilman Thornberry

Councilman Glass offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City owns a tract of land, being a part of the Shoal Creek park purchase, located at the southeast intersection of Lamar Boulevard and West 24th Street; and

WHEREAS, Mr. W. T. Caswell has requested that this area be designated as a tennis center, and Mr. Caswell has further offered to give to the City of Austin the sum of \$12,500 (\$6,000.00 of which has already been paid into the City Treasury) for the purpose of constructing a club house which will include locker rooms and facilities for tennis players and space for equipment, and which will also serve as an observation deck and seats for spectators, and he has further requested that six tennis courts of championship

class, together with necessary back-stops, be constructed by the City of Austin; Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT, in consideration of said gift by Mr. Caswell, the City Council hereby designates said tract of land bounded by Lamar Boulevard, West 24th Street, and Shoal Creek Boulevard, as a tennis center, and further expresses to Mr. Caswell the appreciation for his gift, and authorizes Mr. Caswell to proceed with the construction of said building from the funds which he has contributed to the City of Austin, provided that Mr. Caswell will pay the entire cost of said building to be in accordance with plans and specifications approved by the City Manager and in accordance with a development plan which will provide for the ultimate construction of the tennis courts and tennis court back-stops, surface drainage, parking space, and other necessary improvements by the City of Austin as promptly as funds can be made available for this work. Recognition is made of estimates submitted by Mr. Caswell that the work to be paid for by him will cost approximately \$12,500, and that the tennis courts and other work to be undertaken by the City of Austin are estimated to cost approximately \$20,000.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Thornberry

The following communication from the Junior Chamber of Commerce was received:

"Austin, Texas  
May 8, 1947

The Austin City Council  
Municipal Building  
Austin, Texas

Dear Sirs:

Some years ago the Austin Jaycees asked the people of Austin to support baseball. The people of Austin responded with a gratifying donation to activate a baseball movement in Austin. The culmination of this movement is the Disch Field now in use on the Butler Tract.

The membership of the Junior Chamber of Commerce past and present feels that some sort of marker should be placed at Disch Field to indicate that the motivating force behind this fine baseball installation was given by the people of Austin through the Austin Junior Chamber of Commerce.

The Jaycees would welcome the opportunity to work with the City Council in erecting such a marker.

Yours very truly,

(Sgd) John Terrell, President. "

Councilman Glass moved that the City Manager be authorized to appropriate as much as Two Hundred Dollars (\$200.00), or less, for a marker to be erected in Disch Field in accordance with the foregoing request of the Junior Chamber of Commerce. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Thornberry

E. T. McGregor came before the Council and asked that he be given a special privilege for a curb setback at his grocery store at 1811 San Jacinto Street to take care of the parking situation. The Council took the matter under advisement for an inspection on the ground to see what relief can be given.

The application of J. T. VOTAW CAB COMPANY, 524 East 6th Street, for a taxicab terminal operator's license, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Thornberry

The application of SYLVESTER E. HINTON, JR., 217 West 8th Street, for a license to operate as a taxicab a 4-door Ford Sedan, 1946 Model, Motor No. 286687, State License No. JA-3621, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Thornberry

The application of FRANK MORGAN, 1511 Canterbury Street, for a license to operate as a taxicab a 4-door Chevrolet Sedan, 1941 Model, Engine No. AA-59153, State License No. JA-5655, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Thornberry

The application of JOHNNY MASON HOLMES, 1818 East 12th Street, for a license to operate as a taxicab a Plymouth Coach, 1940 Model, Motor No. P9-310857, State License No. JB-7020, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Thornberry

The application of ALBERT RAY THORNTON, 410 West 37th Street, for a license to operate as a taxicab a 4-door Ford Sedan, 1947 Model, Factory No. 71GA-341767, State License No. JC-2844, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Thornberry

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The application of HENRY W. GRADY, 3706 Wabash Avenue, for a license to operate as a taxicab a 4-door Chevrolet Sedan, 1941 Model, Motor No. AA-445198, State License No. JB-1776, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
Noes : None  
Absent: Councilman Thornberry

The application of MELVIN M. STEVENSON, 217 West 8th Street, for a license to operate as a taxicab a Chevrolet Sedan, 1941 Model, Motor No. AA-791204, State License No. JA-6757, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
Noes : None  
Absent: Councilman Thornberry

The application of Irving Odell Brooks, Colored, 1173 Angelina Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Mayor Miller moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
Noes : None  
Absent: Councilman Thornberry

The application of HENRY HAROLD LILES, 209 Franklin Boulevard, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
Noes : None  
Absent: Councilman Thornberry

The application of TRAVIS O'NEAL MOON, 301 West 39th Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
Noes : None  
Absent: Councilman Thornberry

The application of ELMER OWEN BULLARD, 4701 Avenue G, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
Noes : None  
Absent: Councilman Thornberry

The application of HAROLD H. GRADY, 2911 Rio Grande Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
Noes : None  
Absent: Councilman Thornberry

The application of BRUCE HAYNES, Colored, 2206 Martha Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
Noes : None  
Absent: Councilman Thornberry

The application of RUDOLPH RYANS, Colored, 2304 East 12th Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
Noes : None  
Absent: Councilman Thornberry

The application of JAMES ARTHUR SMITH, Colored, 1702 Singleton Avenue, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
Noes : None  
Absent: Councilman Thornberry

The application of ALFRED ARNOLD, Colored, 2101 East 9th Street, for a taxicab driver's permit, recommended for denial by the Chief of Police, was submitted. After considering the facts in the case, Councilman Glass moved that applicant be granted a 90-day probationary permit to drive a taxicab. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
Noes : None  
Absent: Councilman Thornberry

The application of the MAYFLOWER CAFE, 403 East 6th Street, by Tom Yogoey, for a wine and beer license, duly approved by the City Manager, was submitted. Councilman Bartholomew moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
Noes : None  
Absent: Councilman Thornberry.

The application of E. H. Smartt, Attorney for O. J. Hinton, for change in zoning, from "A" Residence to "C" Commercial, of property belonging to his client known as the north 265 feet of a 6.51-acre tract out of the James P. Wallace League, fronting 200 feet on North Loop Boulevard, was received. Councilman Bartholomew moved that the application be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes: Councilmen Bartholomew, Glass, Johnson, Mayor Miller  
Noes: None  
Absent: Councilman Thornberry

The application of John D. Brown for a change in zoning, from "A" Residence to "C" Commercial, of property at 1911 Eva Street, was received. Councilman Bartholomew moved that the application be referred to the Board of Adjustment for consideration and recommendation. The motion carried by

the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Thornberry

The application of Jim Gonzales for change in zoning, from "A" Residence to "C" Commercial, of property located at 301 Canadian Street, was received. Councilman Bartholomew moved that the application be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Thornberry

The following applications for private boat licenses, duly approved by the Navigation Board, were submitted:

<u>Owner</u>	<u>Description</u>
Alley, Edwin A., Jr. - 1317 West 6th Street	Inboard, 1937 Model, "Avalon F", 5-passenger
Thomas, Thalbert R.-- - 3200 Gilbert Street	Chris-Craft, Inboard Cruiser, 1947 Model, "Miss Tommie T", 15- passenger, Chrysler

Councilman Bartholomew moved that the licenses be granted. The motion prevailed by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Thornberry

Councilmen Glass offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be, and the same is hereby, permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in GONZALES STREET, from Springdale Road west 1455 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of, and parallel to, the north property line of said Gonzales Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(2) A gas main in SANTA MARIA STREET, from a point 60 feet east of Canadian Street west 39 feet, the centerline of which gas main shall

be  $7\frac{1}{2}$  feet south of, and parallel to, the north property line of said Santa Maria Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(3) A gas main in INDIAN TRAIL, from a point 198 feet west of Dormarion Lane west 136 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of, and parallel to, the north property line of said gas main.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(4) A gas main in JUNIPER STREET, from a point 232 feet west of Waller Street west 48 feet, the centerline of which gas main shall be 10 feet south of, and parallel to, the north property line of said Juniper Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(5) A gas main in WINSTED LANE, from a point 562 feet south of Windsor Road south 105 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of, and parallel to, the east property line of said Winsted Lane.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(6) A gas main in EAST  $2\frac{1}{2}$  Street, from Canadian Street east 118 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of, and parallel to, the north property line of said East  $2\frac{1}{2}$  Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(7) A gas main in EAST 7TH STREET, from a point 531 feet east of Chicon Street easterly 230 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of, and parallel to, the north property line of said East 7th Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(8) A gas main in VISTA LANE, from Forest Trail north 23 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of, and parallel to the east property line of said Vista Lane.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(9) A gas main in WOODMONT AVENUE from Vista Lane east 87 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of, and parallel to the north property line of said Woodmont Avenue.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Texas Public Service is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

And that whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

That the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Thornberry

The City Manager submitted a letter from the Exchange Club, asking for the privilege of selling drinks at the model airplane contests to be held in Zilker Park, the proceeds from same to be used exclusively for prize money. It was the sense of the City Council that the request could not be granted as the City has let a contract for the concessions in the Park ; and the City Manager was directed to so notify said Club.

Upon motion, seconded and carried, the meeting was then recessed, subject to call of the Mayor.

Approved: Tom Miller

MAYOR

Attest:

Hallie M. Allen

CITY CLERK